

**ROBERT L. GELTZER**

1556 THIRD AVENUE

NEW YORK, NEW YORK 10128

(212) 410-0100

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July 31, 2012

Luigi Izzo, Esq.  
Faga Savino, LLP  
399 Knollwood Road  
White Plains, NY 10603

**Re: Gioia F. Calisi - Case No. 12-12691 (BRL)**

Dear Mr. Izzo:

Please be advised that I am the Federal Bankruptcy Trustee to whom the above case has been assigned; a copy of my Notice of Appointment is enclosed. At the 341 Meeting already conducted, I learned that you were retained pre-petition by the above in connection with prosecuting a personal injury action case on the debtor's behalf.

Please promptly provide me with the status of the case, including court in which filed, when filed, damages sustained, present status, your best estimate as to how much will be recovered and when, name and addresses of all parties possessing outstanding liens and the amounts owing to each and the reason therefor, together with any and all other relevant information and/or documents.

Upon receipt and review of same, which I shall be pleased to discuss with you if you like, I shall consider whether to seek to appoint you as special personal injury counsel to me, as trustee; in that eventuality, I shall also need from you a copy of your retainer with your client which, if you wish, you may also supply at this time.

If, on the other hand, I conclude that the likely value of the action, net of your fees and expenses, and of the administration expenses in the bankruptcy, does not exceed the amount of the debtor's exemption, then I shall abandon the matter and the debtor can simply continue to prosecute it.

Please note that whether or not, now or in the future, the debtor receives a discharge in bankruptcy has nothing to do with my involvement in the personal injury action which is, as stated above, an asset of the estate.

I look forward to working with you on this matter and shall anticipate your prompt and thorough response. Thank you.

Very truly yours,

Robert L. Geltzer

RLG:ayh  
Enclosure

EXHIBIT "A"

LAW OFFICES OF  
**ROBERT L. GELTZER**

1556 THIRD AVENUE  
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August 29, 2012

Luigi Izzo, Esq.  
Faga Savino, LLP  
399 Knollwood Road  
White Plains, NY 10603

**Re: Gioia F. Calisi (the "Debtor") - Case No. 12-12691 (BRL)**

Dear Mr. Izzo:

As I hope you will recall, I am the Federal Bankruptcy Trustee in the above case in which -- to date -- you have been serving as personal injury counsel.

While I wish for you to continue as such, as set out in prior correspondence, unfortunately, you have not, thus far, responded to my letter of July 31, 2012.

If I do not have your very prompt and thorough response setting out the status of the case, enclosing a copy of your retainer, etc., I shall have no alternative but to seek Bankruptcy Court approval to retain other personal injury counsel and order you to turn over your complete file to me.

I look forward to hearing from you at your earliest convenience and thank you in advance for your cooperation.

Very truly yours,

Robert L. Geltzer

RLG:ayh

**ROBERT L. GELTZER**

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NEW YORK, NEW YORK 10128  
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**TELECOPY TRANSMITTAL LETTER**

DATE: October 2, 2012 TIME: \_\_\_\_\_  
TO: Luigi Izzo, Esq. **BY FAX ONLY**  
FAX NO.: (914) 358-1381  
FROM: ROBERT L. GELTZER  
RE: Gioia F. Calisi - No. 12-12691 (BRL) - Calisi v. Pelham Dental

REMARKS: I HAVE WRITTEN TO YOU SEVERAL TIMES IN CONNECTION WITH THE ABOVE CASE WHERE I SERVE AS FEDERAL BANKRUPTCY TRUSTEE AND YOU HAVE BEEN ACTING AS MY SPECIAL PERSONAL INJURY COUNSEL.

I AM TRYING TO CONTINUE THAT RELATIONSHIP. HOWEVER, I AM YOUR CLIENT (OR SEEKING TO RETAIN YOU), AND HAVE A FIDUCIARY DUTY TO THE ESTATE, THE UNITED STATES TRUSTEE'S OFFICE AND THE COURT, AND NEED YOUR RESPONSE.

THUS, IF I DO NOT HAVE YOUR RESPONSE BY TOMORROW, I SHALL MOVE BEFORE THE BANKRUPTCY COURT FOR YOU TO TURN THE ENTIRE FILE OVER TO ME.

Very truly yours,

/s/ Robert L. Geltzer

Robert L. Geltzer

TOTAL NO. PAGES INCLUDING THIS TRANSMITTAL SHEET: 1

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TRANSMISSION VERIFICATION REPORT

TIME : 10/02/2012 15:57  
NAME : ROBERT L GELTZER  
FAX : 2124100400  
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SER.# : L8J833380

DATE, TIME	10/02 15:57
FAX NO./NAME	19143581381
DURATION	00:00:16
PAGE(S)	01
RESULT	OK
MODE	STANDARD ECM